

FORM PTO-1390
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

14551-2US MG/al

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (if known, see 37 CFR 1.5

10/509333

INTERNATIONAL APPLICATION NO.

PCT/CA03/00523

INTERNATIONAL FILING DATE

April 8, 2003

PRIORITY DATE CLAIMED

April 8, 2002

TITLE OF INVENTION

COMPOSITION FOR MODULATING A PHYSIOLOGICAL REACTION OR INDUCING AN IMMUNE RESPONSE

APPLICANT(S) FOR DO/EO/US

Grant William Vandenberg

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Copy of PCT/IB/308
Copy of International Search Report
PCT/RO/101

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/509333		INTERNATIONAL APPLICATION NO. PCT/CA03/00523		ATTORNEY'S DOCKET NUMBER 14551-2US MG/al			
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY <table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none; text-align: right;">950</td> </tr> </table>		\$	950
\$	950						
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none;"></td> </tr> </table>		\$	
\$							
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$			
Total claims	24 - 20 =	4	x \$18.00	\$	72		
Independent claims	5 - 3 =	2	x \$86.00	\$	176		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$			
TOTAL OF ABOVE CALCULATIONS =				\$	1,198		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	-599		
SUBTOTAL =				\$	599		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$			
TOTAL NATIONAL FEE =				\$			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$			
TOTAL FEES ENCLOSED =				\$	599		
				Amount to be refunded:	\$		
				charged:	\$		
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>19-5113</u> in the amount of \$ <u>599</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-5113</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.							
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.							
SEND ALL CORRESPONDENCE TO: OGILVY RENAULT Suite 1600 1981 McGill College Montréal, Québec Canada H3A 2Y3							
<i>Isabelle Chabot</i> _____ SIGNATURE ISABELLE CHABOT _____ NAME 55,764 _____ REGISTRATION NUMBER							

10/509333

Patent
Attorney Docket No. 14551-2US MG/al

DT04 Rec'd PCT/PTO 08 OCT 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Grant William Vandenberg

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HEREWITH

INTERNATIONAL APPLICATION NO.: PCT/CA03/00523

INTERNATIONAL FILING DATE: April 8, 2003

FOR: COMPOSITION FOR MODULATING A PHYSIOLOGICAL REACTION OR
INDUCING AN IMMUNE RESPONSE

REQUEST FOR PRIORITY UNDER 35 U.S.C. 119(e)
AND THE INTERNATIONAL CONVENTION

Assistant Commissioner for Patents
Washington, DC 20231
U. S. A.

Sir:

In the matter of the above-identified application for patent, notice is hereby given that the applicant claims as priority:

<u>COUNTRY</u>	<u>APPLICATION NO</u>	<u>DAY/MONTH/YEAR</u>
USA	60/370,220	April 8, 2002

Certified copies of the corresponding Convention application(s) were submitted to the International Bureau in PCT Application No. PCT/CA03/00523.

Date: October 7, 2004

Respectfully submitted,

Isabelle Chabot

Isabelle Chabot
Registration No. 55,764

OGILVY RENAULT
1981 McGill College Avenue, Suite 1600
Montreal, Quebec
CANADA H3A 2Y3
(418) 640-5174

10/509333
DT04 Rec'd PCT/PT0 08 OCT 2004

Patent
Attorney Docket No. 14551-2US MG/al

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Grant William Vandenberg

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HEREWITH

INTERNATIONAL APPLICATION NO.: PCT/CA03/00523

INTERNATIONAL FILING DATE: April 8, 2003

FOR: COMPOSITION FOR MODULATING A PHYSIOLOGICAL REACTION OR
INDUCING AN IMMUNE RESPONSE

**REQUEST FOR CONSIDERATION OF DOCUMENTS CITED IN
INTERNATIONAL SEARCH REPORT**

Assistant Commissioner for Patents
Washington, DC 20231
U. S. A.

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Date: October 7, 2004

Respectfully submitted,

Isabelle Chabot

Isabelle Chabot
Registration No. 55,764

OGILVY RENAULT
1981 McGill College Avenue, Suite 1600
Montreal, Quebec
CANADA H3A 2Y3
(418) 640-5174